

104
**CONCERNING THE MOVEMENT
TOWARD DEMOCRACY IN THE
FEDERAL REPUBLIC OF NIGERIA**

Y 4. IN 8/16:D 39/2

Concerning the Movement Toward Demo...

...KUP

BEFORE THE

SUBCOMMITTEE ON AFRICA

OF THE

COMMITTEE ON

INTERNATIONAL RELATIONS

HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

H. CON. RES. 40

MAY 17, 1995

Printed for the use of the Committee on International Relations



AUG 18 1995

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1995

91-526 CC

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-047340-3

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MARKUP ON H. CON. RES. 40 CONCERNING THE MOVEMENT TOWARD DEMOCRACY IN THE FEDERAL REPUBLIC OF NIGERIA

WEDNESDAY, MAY 17, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON AFRICA,
Washington, DC.

The subcommittee met, pursuant to call, at 10:10 a.m. in room 2255, Rayburn House Office Building, the Hon. Ileana Ros-Lehtinen (chair of the subcommittee) presiding.

Ms. ROS-LEHTINEN. The subcommittee will please come to order. I would like to welcome all of you here today to an open mark-up session of House Concurrent Resolution 40 "Concerning the Movement Toward Democracy in the Federal Republic of Nigeria."

This resolution was introduced by Congressman Payne from New Jersey on March 15, and was referred to this subcommittee for appropriate action.

I commend Mr. Payne for bringing forth this resolution, and I thank him, as well as Congressman Hastings, Congresswoman McKinney, and all of the members of the Congressional Black Caucus for their ongoing efforts to ensure liberty and justice for the people of Nigeria.

The strength of their convictions is truly admirable. Without the tenacity and cooperation of individuals like them, we cannot improve the grim political situation that has engulfed the Nigerian people.

Some may wonder why we are proceeding with urgency on this resolution. Why is the status of the democratization process in Nigeria so important to the U.S. Congress? My response is that the establishment of democracy in Nigeria is of pivotal interest to the United States from a humanitarian, political and economic perspective.

First, I would like to turn to events which took place as recently as March 18 of this year. It has been reported that, on that date, between 60 and 80 soldiers were beaten, shackled, and executed for allegedly trying to overthrow the military dictatorship of General Abacha.

Under this government's system of justice, no formal charges were filed and no trial was held before these men were killed. However, violations of human rights are not isolated incidents in Nigeria.

Since seizing control in November 1993, just a few months after the Presidential elections were annulled, the General has repeatedly crushed pro-democracy demonstrations and has engaged in widespread torture of dissidents. These actions go against the very essence of U.S. values and beliefs, and must be condemned.

Secondly, I must point out that this government has failed to stem the flow of illegal narcotics into the United States. To cite just one example, the Atlanta division of the Drug Enforcement Administration estimates that about 75 to 80 percent of the heroin distributed in the southeast region of the United States is supplied by Nigerians.

The regime repeatedly mocks the essence and word of extradition agreements by surrendering low level drug couriers when the United States wants to take action against the major traffickers.

In addition, Nigeria has not taken definitive steps at curtailing its international money laundering operation and shows no indication of doing so in the near future.

Lastly, I should emphasize that Nigeria is the world's seventh largest producer of oil, supplying at least 10 percent of U.S. imports. The current political crisis has destroyed the economy, causing inflation to spiral to 127 percent, and the industrial production to plummet to 20 percent of capacity.

Clearly, if this situation worsens, it could have dramatic consequences on the global economic landscape. While some limited sanctions have been imposed by the U.S. Government on this regime, they are not enough to ensure a return to civilian rule in Nigeria.

The State Department seems to believe that a slap on the hand policy is sufficient to pressure a military dictator into relinquishing the reins of power and allow for democracy to take hold.

I think developments in the last 2 years certainly prove that a soft approach to the situation in Nigeria results in failure. The day of the generals in Africa is over. The Nigerian people are anxious for the opportunity to choose their leaders freely and to join the wave of democracy that is sweeping through Africa and the rest of the world.

House Concurrent Resolution 40 is an important first step toward helping the Nigerian people achieve this goal. Most importantly, it urges U.S. officials to demonstrate American resolve to the promotion of democracy and respect the human rights in Nigeria. Furthermore, it requests that the U.S. Government seek other alternatives to ensure that civilian rule is fully restored in Nigeria.

Once again, I applaud Mr. Payne, and all of our colleagues on the Congressional Black Caucus for their commitment to the promotion of democracy and respect for human rights in Nigeria, and for focusing our attention on such a pivotal issue. Their strength comes from their ideals and beliefs, from their dedication to justice and freedom for the people of the African continent and throughout the world.

I think I speak for all the members of this subcommittee when I say that we are all dedicated to the same ends. Without further delay, I would like to recognize Congressman Ackerman for any comments he may have before I introduce Mr. Payne and others for consideration of his resolution.

Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Madam Chairwoman. I want to commend you for holding this markup today on H. Con. Res. 40, "Concerning the Movement Toward Democracy in Nigeria."

I would also like to commend our colleague, Representative Payne, for introducing this important resolution which so many of us have cosponsored.

As we witness the troubled situation in Nigeria, I am once again reminded of how precious a commodity democracy remains today. The case in Nigeria is particularly disturbing to many of us who recognize the importance of the United States' relationship with Nigeria, but recognize that it cannot fully blossom as long as democracy and human rights remain harshly stifled.

Madam Chairwoman, Nigeria is a tremendously important country, as you know. By size alone, Nigeria is 90 million people, representing more than one-fourth of the population of the African continent; and with 250 ethnic groups, it is one of the most diverse.

This makes adherence to democratic principles even more important, yet the military regime in Nigeria has played a harsh game by any standards while obstructing democracy, human rights, and administration of justice.

As we adopt this resolution and put this committee's view on record, we should look at this resolution as a firm commitment to the democratic values that we all share, both Democrats and Republicans alike.

As we review this legislation, we must ask "how can we call Nigeria a free nation when the winner of the most recent Presidential election is sitting in jail? How can we call Nigeria a free nation when representatives of the Agoni minority are put on trial for murder when they have followed strictly nonviolent means of protest? How can we call Nigeria a free nation when official corruption stymies efforts to control the trafficking of heroin through that country?"

Madam Chair, once again I commend you for bringing Representative Payne's legislation before the committee today, and I urge its adoption.

Thank you very much.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Ackerman, and now I would like to recognize Congressman Toby Roth.

Mr. ROTH. Thank you, Madam Chairperson. I too want to congratulate you and applaud your work in bringing this resolution forward. I want to thank Mr. Payne for his foresightedness in bringing this resolution to the attention of our committee.

The provision I like best of all in this resolution is where it talks about the faith of the Nigerian people, that the viability of the nation as a unified whole, must be preserved, and the Balkanization of Nigeria guarded against.

This, I think, is what we must focus on: democracy and its preservation in Nigeria. I think this resolution is going to help a great deal. So Madam Chairperson, I thank you and I thank Mr. Payne and the other members of this subcommittee who have worked so diligently on this concurrent resolution.

I hope that we will all vote for it. Thank you.

Ms. ROS-LEHTINEN. Thank you very much, Congressman Roth. Congressman Johnston?

Mr. JOHNSTON. Thank you, Madam Chair. I have a prepared statement, but before I say that, let me just make this observation: your committee has a lot of sway when it comes to foreign policy, and a resolution like this, people think well, this just gets filed away. It is not, and the State Department pays quite a bit of attention to what your committee does here.

An example is, without a resolution by the African subcommittee 2 years ago, I am not sure if we would have still recognized Angola. Without the resolution of this committee, I think that Sudan would not have been put on the terrorist list.

So I commend you and Mr. Payne for introducing this resolution, which I strongly support. H. Con. Res. 40 clearly describes the unacceptable political trend in Nigeria. Mr. Payne and I visited Nigeria last November, and at the time, we had some hope that the Abacha regime and the constitutional conference could reach a deal leading to the restoration of democracy.

Recent events, however, in Nigeria, make this unlikely, as the military regime seems to be digging in for the long haul. Indications are that the regime is not willing to set a deadline to hand over power. In fact, one of the leaders in the effort to set a January 1996 deadline has been jailed since March of this year.

Reports are frequent of purges and executions. Corruption grows ever more rampant in this country. These events are all the more tragic in a country of 90 million people, a country endowed with tremendous but squandered natural resources. Nigeria should be an African great power, an African power playing a leading role in economic development and conflict resolution.

This is why I strongly support the Payne resolution, and the series of constructive policy recommendations which the resolution makes. I urge its adoption.

Thank you.

Ms. ROS-LEHTINEN. Thank you very much, Congressman. Before I recognize the sponsor of the resolution, I would like to recognize Mr. Hastings from Florida.

Mr. HASTINGS. Madam Chairlady, in the interest of time, I will pass.

Ms. ROS-LEHTINEN. Thank you. Mr. Frazer.

Mr. FRAZER. Madam Chairlady, I too recognize the problems in Nigeria as we sit here today. I am sure the people of Nigeria expect that we would, in this committee, voice what they have been trying to do in their election of last year, which is bring democracy to their country.

Beyond that, I will pass at this point.

Ms. ROS-LEHTINEN. Thank you so much. Now I am pleased to recognize the sponsor of the resolution, the gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you very much, Madam Chairwoman. And I would like very much to appreciate the priority you have seen fit to give this important bill. I believe it is the first markup scheduled for your new committee, and I indeed consider this to be an indication of importance in sending a signal to the Nigerian Government

of our unrelenting bipartisan effort to bring democracy to the Federal Republic of Nigeria.

I would also like to commend you for the manner in which you have led this committee since your chairmanship, and it makes me very pleased to serve with you.

When the largest and most prosperous nation in Africa is allowed to retreat from the trend toward democracy, it sends the wrong message to the hopes and aspirations for freedom of all Africans.

For the new members of the committee, it should be pointed out that a similar bill to H. Con. Res. 40 was passed by the full House following the June 12, 1993 annulled election for President of Nigeria.

Chief Moshood K.O. Abiola had won the Presidential election in what national and international observers characterized as the most free and fair election in Nigeria's history.

The election was all the more significant because Nigeria's 90 million people, comprising some 250 ethnic groups, were voting across ethnic lines and expressing a spirit of national unity that transcended religious and regional allegiances. Wolo Solinka, a Nobel laureate, said that on June 12, 1993, Nigeria became a unified nation.

General Babangida, who was then head of Nigeria's military government at the time, interrupted the release of the election results to facilitate his annulment of the election. The results of this election must be released and dealt with before the wounds to democracy can be healed and to assure the success of future administrations.

After rioting in the streets and oil worker strikes on behalf of President-elect Abiola, Babangida stepped down and was replaced by Ernest Shoenkan, who failed to win the support of the Nigerian people.

Eight weeks later, another military officer named General Sani Abacha took power on November 17, 1993. Nigeria, which received its independence in 1960, has now been under military rule 25 years of 35 years.

In the last 18 months of Abacha's administration, conditions became even more undemocratic and economic conditions have deteriorated. State legislatures have been dissolved and political parties banned.

President-elect Chief Abiola has been imprisoned on fraudulent charges of sedition for speaking out on his right to the office of President. This was followed by the arrest of former head of state General Obasanjo, who has constantly called for human rights and the return to democracy for Nigeria.

General Obasanjo was alleged to be implicated in a failed coup d'etat, along with an estimated 100 military personnel. While General Obasanjo has been released to house arrest through the intervention of former President Jimmy Carter and Bishop Desmond Tutu of South Africa, there is no disclosure of the fate of the military personnel.

The National Endowment for Democracy here in Washington reports that the press is severely censored and 20 newspapers and magazines have been shut down. The Secretary General of the

Lagos committee in defense of human rights, a NED grantee, has also been arrested and is still incarcerated.

Nigeria's lack of support on drug trafficking issues has again placed Nigeria on the decertification list of countries penalized for failure to seriously address narcotic proliferation. This has hurt Nigeria's eligibility for multilateral bank loans, which has contributed to the declining economy in Nigeria, and the people are suffering.

There is also considerable evidence that the drug trafficking could not take place without the cooperation of the military, who are literally lining their pockets with money earned from drug sales that affects the lives of young people on the streets of American cities, the cities in your district and the cities in my district.

There are also continuing news accounts of widespread corruption and questionable business practices in Nigeria, which unfortunately also carries over into America through various scams. I have had several delegations of law-abiding Nigerians, proud of their heritage, who have visited my office to express how this negative publicity hurts their image and hurts their progress as they tend to their business here as American citizens.

In regard to Nigeria's oil industry, an analysis in the Christian Science Monitor, Paul Beran wrote "there is incredible corruption." Beran states that General Abacha was a billionaire from oil and other sources even before he took over the presidency.

A Nigerian economist who examined the government's oil revenues during the Persian Gulf crisis reported that of the \$12.4 billion received, \$12.2 billion had been clandestinely disbursed.

While it takes great courage and organization for the United States to boycott Nigerian crude, I do not know how long Americans will feel good about driving in to gas up, and in doing so, supporting the military regime.

TransAfrica has already started to demonstrate each Friday in front of the Nigerian Embassy here in Washington. Signs for boycotting Nigerian oil are most noticeable among their demonstrators.

While this bill does not call for an oil embargo, it does give our administration credit for introducing various travel and visa sanctions on Nigerian military officials, and further encourages the administration to explore additional measures, such as denying visas to the Nigerian Eagles professional soccer team, coming to the United States in June to play the Mexican and U.S. national teams.

Already the International Football Federation canceled the world youth soccer championships to be held in Nigeria. Also Reverend Sullivan, the founder of the African American summit which was scheduled to be held in Nigeria last month, changed that venue to Cote D'Ivoire because of the situation in Nigeria.

For the last several months, the administration has asked for patience while the constitutional conference was being held in Nigeria. The administration hoped that the few legitimately elected representatives could bring the conference to recommending a new path toward democracy.

However, as many of the elections for the delegates in the various states were widely boycotted, and with the military govern-

ment appointing 25 percent of the body, the result was very disappointing.

After extending the deadline to report from one date to another, the conference reported out that General Abacha would remain the head of state for an indefinite period. It is reported that some delegates were even prevented from expressing their displeasure with that decision.

The U.S. administration has admitted that it is highly disappointed in this result and is engaging Nigeria in serious dialogue regarding this recent set-back.

While this bill does not provide additional sanctions, it does permit and encourage such actions as denying visas for the Nigerian professional soccer teams and other measures at the administration's discretion. It would seem reasonable to pass H. Con. Res. 40 now, with the admission that further amendments may be needed at the full committee markup if there is no further movement toward democracy.

Madam Chairwoman, I move the adoption of H. Con. Res. 40 and I would like at this time to call on, or turn it back over to you, and thank the original cosponsor, Amo Houghton, for supporting this bill.

Ms. ROS-LEHTINEN. Thank you. I would like to now recognize Congressman Houghton for any opening remarks he might have.

Mr. HOUGHTON. Thank you very much, Madam Chairman. But first of all, thank you Congressman Payne. Thank you Don, for introducing this. I think it is a worthy resolution.

It is a modest and moderate resolution. I personally think, and I think that you probably in your heart of hearts also do not think it goes far enough, but at least it is a first step.

Madam Chairman, I thank you for the priority you are giving this. There are lots of things on your plate. This comes to the surface, and I think it is worthy.

Let me just say something very briefly. Nigeria represents nothing that we think is important. I mean, they have thrown out an extraordinary guy who, in an extraordinary way, turned over the Presidency of the country to the electorate.

They are holding him in what is really house arrest. He was a member of the African American Institute, which I think does wonderful work in the continent. Nigeria violates everything we like to believe in terms of the drug traffic and the impact here.

This bill does not, as Congressman Payne says, go into the key economic lever, which is oil, but I would not be against anything—I would cosign anything—that you suggested later on, if it did go into that. I would because Nigeria is such an important country, not only for us, but for that continent. To have it flounder the way it does, and to have it really thumb its nose on those things which we think are important, not only socially but economically, I think is wrong.

So this is a velvet touch. This is the first step, and I soundly endorse it. I thank you for letting me make that comment, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Houghton. Mr. Salmon and Chabot, if you have opening remarks, I would be glad to recognize you.

Mr. CHABOT. I do briefly; do you mind?

Ms. ROS-LEHTINEN. Mr. Chabot.

Mr. CHABOT. Thank you, Ms. Chairman. I would like to thank Mr. Payne for sponsoring this resolution, and you, Madam Chairman, for bringing us together this morning.

It is important that we put this Congress on record as expressing our deep concerns and our outrage at what is happening in Nigeria today. When the Nigerian people went to the polls in June of 1993, they did more than elect Moshood Abiola President. They came together across ethnic and regional lines to let their leaders know that they wanted to be one nation, and that they wanted a democratically elected government. They turned their back on years of military dictatorship.

Unfortunately, not everyone in Nigeria was willing to accept what the people had done that June. The military coup led by General Abacha later that year was an attempt to turn back the clock. It was an attempt to reject the decision of the Nigerian people to control their own affairs.

General Abacha has refused even to set a date for returning Nigeria to democratic rule. He has held Mr. Abiola, the rightful President of Nigeria, under house arrest since June of last year, and his government has launched an almost unprecedented series of attacks on the established rights of Nigerians.

For over 30 years, Nigeria had generally a free press with some of the most respected newspapers anywhere on the continent of Africa. That is gone now. And for over 30 years Nigeria had an independent judiciary with judges who were willing to rule against the government, and to uphold constitutional rights, and that is gone as well.

I do not think this Congress can let these events go by without comment. The United States has a real interest in Nigeria. After all, it is the largest country in Africa. Nigeria has a tradition for respect for the rights of the individual, and Nigeria has usually been a friend and an ally of the United States.

I support Mr. Payne's resolution and I hope that Nigeria can again be a voice for democracy and civil rights in Africa as it was in the past.

Thank you.

Ms. ROS-LEHTINEN. Thank you so much. Mr. Salmon.

Mr. SALMON. No.

Ms. ROS-LEHTINEN. Mr. Hastings.

Mr. HASTINGS. Madam Chairlady, at the appropriate time, I just have some questions regarding the resolution, and I do not know whether this is the appropriate time. I defer to the chair.

Ms. ROS-LEHTINEN. Yes, sir.

Mr. HASTINGS. All right. Madam Chair, I would like to address page 5, number 5, which seems to in some respects ask the U.S. agencies to do what is their required function. And I do not understand the necessity for emphasizing that agencies like USIA and AID are to consistently reiterate the United States' insistence upon the rapid return of civilian and democratic rule in Nigeria.

My understanding is that they are already doing that. In addition, I am a bit disturbed—I recognize that the offeror of this resolution did so at a time that we did not know that we were going

to decimate the budgets of the two agencies that we are asking to take on these responsibilities, and I am just curious as to the impact of leaving that language in here, particularly in light of the recent events diminishing the ability of these agencies to undertake to do what they are supposed to do, recognizing, of course, that those budgetary constraints are in 1996 and 1997.

But is that something that has to stay in, Mr. Payne?

Ms. ROS-LEHTINEN. I would be glad to yield in order to recognize Congressman Payne for an answer to Mr. Hastings' questions.

Mr. HASTINGS. OK.

Mr. PAYNE. Right. No, it was just put in to sort of reiterate those agencies which traditionally had supported democratization, the whole process of moving countries in the world, whether they were in Eastern Europe, whether they were in Africa, in Latin America.

Those have been the three areas where democratization has caught on, and it was just to highlight the importance of these agencies and the benefit that they have been to the world in democratization, but it certainly is a paragraph that I would have no problem if you would like to delete that.

Mr. HASTINGS. No, I just was seeking additional understanding, as I am on page 4, Mr. Payne.

Mr. PAYNE. Yes.

Mr. HASTINGS. Under section 1, it is resolved that the Congress continues to support the Nigerian people in their commitment to unity and democracy.

Let me tell you what my quarrel is with that. That is sort of like the Nigerian Government saying that they continue to support Americans, the policies that the American people want when, in fact, hardly anybody really knows what the American people want. So how do we know that the Nigerian people have some commitment to unity?

I was there, you were there, Harry was there, and others that have been there, I did not see any of you today, and I am concerned to know where that language fits in the overall scheme of things.

Ms. ROS-LEHTINEN. Mr. Payne.

Mr. PAYNE. Well, for the first time in an election in Nigeria, there was the voting across ethnic lines. I think that is what, if you had the opportunity to hear the Nobel laureate Solinka, he made a lot of emphasis.

He said in his words, "Nigeria was born as a nation on June 12th of 1993." That was his remarks, and those were statements that he said because of the fact that religion was not a factor, that sectionalism—as you know, in 1969, there was the terrible war where an estimated million people were killed in the eastern state then called, some called Biafra.

And so it was just felt that most world leaders, and in particular on Africa and the soil, felt that this was the birth of a new Nigeria on June 12.

Ms. ROS-LEHTINEN. Excuse me. Maybe we would have Mr. Hastings respond, and then I will recognize—

Mr. Hastings. No, no, I heard the answer. I was not finished asking questions, but I will yield to Mr. Roth.

Ms. ROS-LEHTINEN. Thank you. Mr. Roth?

Mr. ROTH. Well, maybe I can help Mr. Hastings because he is a good friend of mine. Mr. Hastings mentioned we do not know what people want, we do not know what the American people want, but I would say, Mr. Hastings, we do know.

The American people want the contract with America, and rather than delete sections in this Nigerian resolution, maybe what we should be adding here is that the Government of Nigeria ought to have a contract with the people of Nigeria that they carry through on.

Ms. ROS-LEHTINEN. Mr. Hastings.

Mr. HASTINGS. I certainly respect my friend's view, and I remind him that one-half of 38 percent of the American people may have supported a contract with America, but in either event, I would like to, Mr. Payne, ask you about the provision regarding the suspension of military cooperation. That is on page 4 at line 12 where it says that "we endorse the steps of the administration on the suspension of military cooperation between the United States and Nigeria." Does that—

Ms. ROS-LEHTINEN. Mr. Payne.

Mr. HASTINGS. Does that mean that military forces of the United States will withdraw from Nigeria, and second, does that mean that the United States will not look to Nigeria vis-a-vis the United Nations and peacekeeping efforts?

Mr. PAYNE. No, that simply means that Nigeria participated in the U.S. training for their military. That is the only connection between Nigeria's military and the U.S. Government, and we move that that be suspended.

Mr. HASTINGS. All right, and then finally page 7, where—positively respond to the United States, might I ask at some point that that be fleshed out? Because I think I know what positively responding is, but if it is not specified, when do we know when someone has positively responded?

Do you understand what I am saying?

Mr. PAYNE. Sure. We could further clarify that, but I think a positive response would be that the constitutional convention would report that they are going to move into elections, and that General Abacha would say that I am stepping down, but we could certainly have something clarifying.

Mr. HASTINGS. Right, and then my final statement is not in need of a response. It is that I am genuinely concerned that in a resolution as well-spirited and well-meaning as this resolution is, that we would include language of condemnation with Nigeria with reference to its overall policies having to do with drugs.

My reason is that I quarrel with the decertification of Nigeria, and I did so in a private hearing for the reasons that the drugs that are trying to ship through Nigeria comes from Pakistan, and nobody has decertified Pakistan and India. We have not decertified Mexico. We have not de-certified Russia.

I have some serious questions why we are singling out Nigeria in that regard. Would that that language was not in here, I could find greater comfort in supporting what I know is a well-meaning and well-intentioned resolution.

But I just want to get that on the record. Madam Chairman.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Hastings.

Mr. HASTINGS. Madam Chairperson.

Ms. ROS-LEHTINEN. Mr. Sanford, if we could move on to the markup of the bill, if you do not mind.

Mr. SANFORD. Please go ahead.

Ms. ROS-LEHTINEN. Thank you so much. Pursuant to the notice of subcommittee, we will now turn to the consideration of H. Con Res. 40 which the staff director will report.

Mr. TAMARGO¹ H. Con. Res. 40, concurrent resolution "Concerning the Movement Toward Democracy in the Federal Republic of Nigeria."

Ms. ROS-LEHTINEN. Without objection, the staff director will read the preamble and the text of the concurrent resolution, in that order, for amendments.

Mr. TAMARGO H. Con. Res 40, the concurrent resolution "Concerning the Movement Towards Democracy in the Federal Republic of Nigeria."

Whereas the people of the Federal Republic of Nigeria and the international community has been led to believe that the——

Mr. ACKERMAN. Madam Chair, I move that the resolution be accepted as read.

Ms. ROS-LEHTINEN. Yes, without objection, the preamble and the resolution are considered as having been read and are open to amendments at this point.

Are there any amendments?

[Pause.]

Ms. ROS-LEHTINEN. If not, we will then put the question en bloc on favorably reporting the preamble and the resolution to the full committee.

So many are in favor of the question, please say aye.

[Chorus of ayes.]

Ms. ROS-LEHTINEN. So many are opposed, say no.

[A single no.]

Ms. ROS-LEHTINEN. The ayes appear to have it. The ayes have it and the resolution is approved for forwarding to the full committee. I thank all the members for their cooperation. I will contact Chairman Gilman about the prompt consideration of this measure in the full committee. The subcommittee now stands in recess.

[Whereupon, at 10:45 a.m., the subcommittee was adjourned.]

¹Mr. Mauricio J. Tamargo is the Staff Director for the Subcommittee on Africa.

104TH CONGRESS
1ST SESSION

H. CON. RES. 40

Concerning the movement toward democracy in the Federal Republic of
Nigeria.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 1995

Mr. PAYNE of New Jersey submitted the following concurrent resolution;
which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Concerning the movement toward democracy in the Federal
Republic of Nigeria.

Whereas the people of the Federal Republic of Nigeria and the international community had been led to believe that the presidential election held in Nigeria on June 12, 1993, would result in a return to full democratic civilian rule in Nigeria;

Whereas General Ibrahim Babangida, the head of Nigeria's military government at the time of the June 12, 1993, election, interrupted the release of the election results on June 23, 1993, and later annulled the election, thereby preventing a return to civilian rule;

Whereas the election process indicated that voters in Nigeria—a country with a population of approximately 90,000,000 individuals comprising 250 ethnic groups and

spread across 357,000 square miles—were expressing a spirit of national unity that transcended ethnic, religious, and regional allegiances;

Whereas reported returns suggested that Moshood Abiola of the Social Democratic Party was receiving a substantial majority of the votes cast, leading the poll in 20 of the 30 states in Nigeria;

Whereas the annulment of the presidential elections resulted in various forms of civil unrest, which in turn led to the death of more than 100 individuals;

Whereas an interim government established by General Babangida on August 27, 1993, and headed by Ernest Shonekan, failed to win the support of the Nigerian people;

Whereas General Sani Abacha took power on November 17, 1993, appointing an unelected provisional ruling council to govern Nigeria;

Whereas General Abacha and the provisional ruling council, upon taking power, stated their commitment to an early return to civilian and democratic rule, and named several prominent democratic political figures to serve in the government;

Whereas the political and economic conditions in Nigeria have continued to deteriorate in the months since Abacha took control of the country;

Whereas the faith of the Nigerian people in the viability of the nation as a unified whole must be preserved, and the balkanization of Nigeria guarded against;

Whereas the people of Nigeria have not accepted the continuation of military rule and have courageously spoken out

in favor of the rapid return of democratic and civilian rule;

Whereas on May 15, 1994, a broad coalition of Nigerian democrats formed the National Democratic Coalition calling upon the military government to step down in favor of the winner of the June 12, 1993, election;

Whereas the confidence of the Nigerian people and the international community in the provisional ruling council's commitment to the restoration of democracy can only be established by a sustained demonstration of a commitment to human rights, due process, and the return of civilian rule;

Whereas the United States would prefer to have a relationship with Nigeria based upon cooperation and mutual support but cannot, and will not, condone or overlook the denial of democratic civilian rule—against the clear wishes of the Nigerian people—by the provisional ruling council or any other body in Nigeria;

Whereas the lack of support from the Nigerian authorities on drug trafficking issues has recently forced the United States to again place Nigeria on the list of countries penalized for failure to seriously address the narcotics proliferation issue;

Whereas continuing credible reports of widespread corruption and questionable business practices in the Nigerian Government, and the lack of cooperation in addressing these problems by the Nigerian Government, further undermines Nigeria's credibility in the international community;

Whereas the steps taken by the international community in response to the refusal of the Nigerian military to relin-

quish power serve both to encourage the people of Nigeria in their legitimate struggle for democracy and to limit the ability of the military to entrench its rule; and

Whereas Nigeria's leadership role on the African continent and its international influence will be severely compromised by its failure to rejoin the world community of democratic nations: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That the Congress—*

3 (1) continues to support the Nigerian people in
4 their commitment to unity and democracy as evi-
5 denced by their participation in the June 12, 1993,
6 presidential election in the Federal Republic of Nige-
7 ria, and in their subsequent insistence on the return
8 to full civilian and democratic rule;

9 (2) endorses the steps taken by President Clin-
10 ton and the Administration—specifically the restric-
11 tions on assistance to agencies of the Nigerian Gov-
12 ernment, the suspension of military cooperation be-
13 tween the United States and Nigeria, the restric-
14 tions on travel to the United States by officials of
15 the Nigerian military regime, and the insistence that
16 full normalization of United States-Nigeria relations
17 depends upon the restoration of civilian democratic
18 rule—to demonstrate United States opposition to
19 the annulment of such election and to encourage the

1 restoration of fully democratic and civilian rule in
2 Nigeria;

3 (3) urges the Administration to continue all ac-
4 tions designed to encourage the restoration of civil-
5 ian rule in Nigeria, especially the restriction on trav-
6 el to the United States by officials of the military re-
7 gime, until concrete and significant steps have been
8 taken toward a genuine transition to a democrat-
9 ically elected civilian government in Nigeria;

10 (4) encourages the Administration to explore
11 additional measures that might be taken, either uni-
12 laterally, in cooperation with other nations, or
13 through multilateral institutions such as the Inter-
14 national Monetary Fund and the International Bank
15 for Reconstruction and Development, to construc-
16 tively encourage the restoration of democratic and
17 civilian rule in Nigeria;

18 (5) requests that United States officials, both
19 in the United States and in Nigeria, consistently re-
20 iterate United States insistence upon the rapid re-
21 turn of civilian and democratic rule in Nigeria, and
22 that United States Government agencies such as the
23 United States Information Agency and the Agency
24 for International Development, as well as publicly
25 supported agencies such as the National Endowment



1 for Democracy, should provide support for activities
2 aimed at strengthening democratic forces and demo-
3 cratic institutions in Nigeria;

4 (6) condemns the arrests and imprisonment by
5 the Nigerian military authorities of Chief Abiola and
6 other political leaders and democracy advocates, as
7 well as the new restrictions imposed on freedom of
8 expression; and

9 (7) urges General Abacha and the provisional
10 ruling council in Nigeria, in order to maintain the
11 viability of Nigeria and restore political stability and
12 to avert the further deterioration of relations be-
13 tween Nigeria and the United States, to—

14 (A) fully restore freedom of the press, with
15 access to all contemporary political and elec-
16 toral information, fully respect human rights,
17 and fully restore the independence and author-
18 ity of the judiciary in Nigeria;

19 (B) immediately release Chief Abiola and
20 the other political leaders and human rights ac-
21 tivists who have been arrested or detained;

22 (C) decisively move to resolve the political
23 crisis in Nigeria by setting up a rapid timetable
24 for the full restoration of civilian and demo-
25 cratic rule, unencumbered by the military; and

7

- 1 (D) positively respond to United States
2 and other international efforts to constructively
3 encourage the restoration of democracy in
4 Nigeria.

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ISBN 0-16-047340-3



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